

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JEREMY L TAFF
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**APPEAL 21A-UI-19291-JC-T
ADMINISTRATIVE LAW JUDGE
DECISION**

**OC:08/01/21
Claimant: Appellant (1)**

Iowa Admin. Code r. 871-24.3(2) – Able & Available – Identity Verification
Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Admin. Code r. 871-24.22(2) – Able & Available – Benefits Eligibility Conditions
Iowa Admin. Code r. 871-24.2(1)(e) – Able & Available – Report as Directed by Department

STATEMENT OF THE CASE:

The claimant/appellant, Jeremy L. Taff, filed an appeal from the August 26, 2021 (reference 01) Iowa Workforce Development (“IWD”) unemployment insurance decision that allowed benefits effective August 22, 2021 based upon a determination that claimant initially failed to provide verification of his identity but subsequently did so. After proper notice, a telephone hearing was held on October 21, 2021. The claimant participated personally.

The administrative law judge took official notice of the administrative records. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

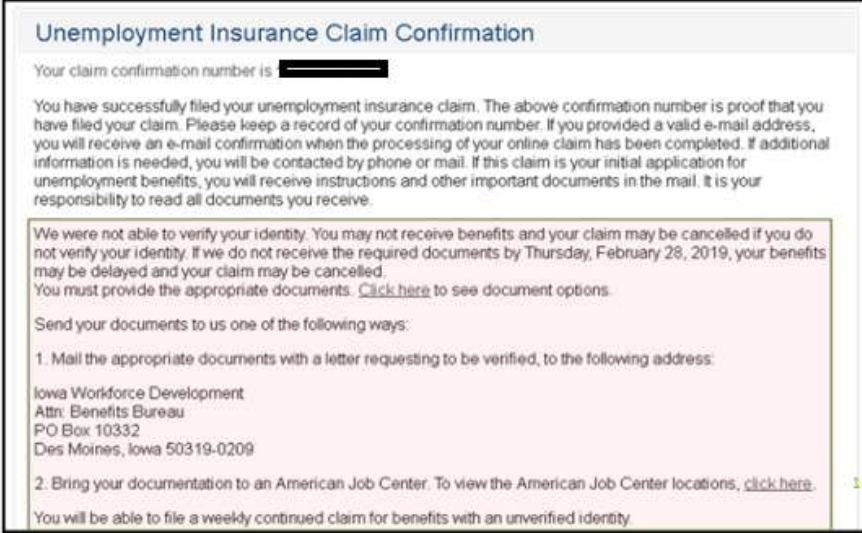
ISSUES:

Is the claimant able to and available for work?
Did the claimant timely provide verification of his identity?
Did the claimant fail to report as directed by a department representative?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed a claim for unemployment insurance benefits effective August 1, 2021.

Claimant at the hearing denied filing the claim but has not experienced any identity theft issues. Claimant was unable to verify his identity through the online verification process when filed his claim at the local IOWAWORKS office in Cedar Rapids. Therefore, on the claim confirmation page, a notice appeared stating claimant was required to provide qualifying proof of identity to the agency by August 15, 2021, in order to prevent benefits from being delayed and the claim from being canceled. The notification would have looked similar to the graphic below:

A screenshot of a web-based message titled "Unemployment Insurance Claim Confirmation". The message informs the claimant that their claim has been successfully filed and provides a confirmation number (redacted with a black box). It states that the claimant will receive an email confirmation once processing is complete. A warning box highlights that the claimant's identity could not be verified, and they must provide documents by Thursday, February 28, 2019, to avoid cancellation of benefits. Two methods for submitting documents are listed: mailing them to the Iowa Workforce Development or bringing them to an American Job Center. A link is provided to view the locations of American Job Centers. The message concludes by stating that the claimant will be able to file a weekly continued claim for benefits with an unverified identity.

Unemployment Insurance Claim Confirmation

Your claim confirmation number is [REDACTED]

You have successfully filed your unemployment insurance claim. The above confirmation number is proof that you have filed your claim. Please keep a record of your confirmation number. If you provided a valid e-mail address, you will receive an e-mail confirmation when the processing of your online claim has been completed. If additional information is needed, you will be contacted by phone or mail. If this claim is your initial application for unemployment benefits, you will receive instructions and other important documents in the mail. It is your responsibility to read all documents you receive.

We were not able to verify your identity. You may not receive benefits and your claim may be cancelled if you do not verify your identity. If we do not receive the required documents by Thursday, February 28, 2019, your benefits may be delayed and your claim may be cancelled. You must provide the appropriate documents. [Click here](#) to see document options.

Send your documents to us one of the following ways:

1. Mail the appropriate documents with a letter requesting to be verified, to the following address:
Iowa Workforce Development
Attn: Benefits Bureau
PO Box 10332
Des Moines, Iowa 50319-0209
2. Bring your documentation to an American Job Center. To view the American Job Center locations, [click here](#).

You will be able to file a weekly continued claim for benefits with an unverified identity.

The only difference between the graphic above and the message claimant would have received is that claimant would have had until August 15, 2021, to provide the required documents. Claimant does not recall seeing the message.

Additionally, on August 9, 2021, the agency mailed claimant a letter also stating that if claimant was unable to provide proof of identity by August 15, 2021, "benefits may be delayed and ... claim may be canceled." Claimant denied receipt of the letter and returned to work.

Claimant did not provide proof of identity until on or about August 22, 2021. He stated he realized he needed to bring in documentation after not receiving anticipated benefits. He brought the documents to IOWAWORKS in Cedar Rapids. The claimant's unemployment insurance claim was unlocked at that time. Claimant has continued to file weekly continued claims as his hours fluctuate at Blahnik Construction Company.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant failed to provide timely verification of identity.

Each week a claimant files a claim for benefits he must be able to and available for work. Iowa Code § 96.4(3). To maintain continued eligibility, a claimant shall report as directed by an authorized representative. 871 IAC 24.2(1)e. A claimant who fails to report as directed by notice mailed to the claimant is deemed unavailable for work. Iowa Admin. Code r. 24.23(11).

Iowa Admin. Code r. 871-24.3 provides:

A claim will not become valid until the identity of the claimant has been verified by the department.

(1) Upon the filing of a claim, notification shall be provided to the claimant if the claimant's identity was not verified.

(2) If the agency is unable to verify the claimant's identity in the claim application, the claimant must provide approved documents. Approved documents must include at least one document containing a social security number. The department shall determine the

approved documents required to verify identity. The list of approved documents can be found at the nearest local workforce center or online.

(3) The claimant's identity will not be considered verified until approved documents have been provided. The claim shall remain locked from issuance of benefits until the claimant has provided the approved documents to verify identity.

(4) After filing a claim application, the claimant shall not be eligible for benefits for any week until approved documents are provided to verify identity.

(5) Approved documents must be provided or postmarked by Saturday at 11:59 p.m. of the week in which the approved documentation is due, and the claim shall be unlocked for all weeks following the most recent effective date of the claim application.

(6) If required documents are provided in any subsequent weeks following the due date, the claimant shall be eligible, provided there are no other outstanding issues with the claim, as of the Sunday of the week the claimant's identity was verified.

In this case, Iowa Workforce Development notified claimant that identity verification needed to be provided by July 22, 2019, in order to prevent benefits from delayed or the claim being cancelled. The claimant was reminded again when he established an additional claim effective January 12, 2020. On at least three separate occasions, the claimant was informed he needed to provide identify verification: when he established his claim effective July 14, 2019, through a letter that was mailed on July 22, 2019 and again when he established an additional claim effective January 12, 2020. Claimant did not provide the requested documentation until February 3, 2020. There is no evidence in the record indicating claimant's failure to provide the required documentation in a timely manner was due to agency error.

The administrative law judge finds claimant was not available for work until February 3, 2020, the week the required identity verification documents were provided to the agency. Therefore, benefits are withheld from July 14, 2019- February 2, 2020. Benefits are allowed February 3, 2020, provided claimant is otherwise eligible.

DECISION:

The February 6, 2020 (reference 01) initial decision is affirmed. Claimant was not available for work, July 14, 2019- February 2, 2020 as he failed to provide verification of identity as required. Benefits are allowed effective February 3, 2020, provided claimant is otherwise eligible.



Jennifer L. Beckman
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax 515-478-3528

November 02, 2021
Decision Dated and Mailed

jlb/ol

NOTE TO CLAIMANT: This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Individuals who do not qualify for regular unemployment insurance benefits, but who are unemployed or continue to be unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>. If this decision becomes final or if you are not eligible for PUA, you may have an overpayment of benefits.

ATTENTION: On May 11, 2021, Governor Reynolds announced that Iowa will end its participation in federal pandemic-related unemployment benefit programs effective June 12, 2021. The last payable week for PUA in Iowa will be the week ending June 12, 2021. Additional information can be found in the press release at <https://www.iowaworkforcedevelopment.gov/iowa-end-participation-federal-unemployment-benefit-programs-citing-strong-labor-market-and>.

You may find information about food, housing, and other resources at <https://covidrecoveryiowa.org/> or at <https://dhs.iowa.gov/node/3250>

Iowa Finance Authority also has additional resources at <https://www.iowafinance.com/about/covid-19-ifa-recovery-assistance/>